

EXHIBIT 25

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

EL PASO COUNTY, TEXAS)
500 E. San Antonio)
El Paso, TX 79901,)
)
BORDER NETWORK FOR HUMAN RIGHTS)
2115 N. Piedras St)
El Paso, TX 79930,)
)
Plaintiffs,)
) Civil Action No. 3:19-cv-66
v.)
)
DONALD J. TRUMP, in his official capacity as)
President of the United States of America)
1600 Pennsylvania Avenue, NW)
Washington, D.C. 20500,)
)
PATRICK M. SHANAHAN, in his official capacity)
as Acting Secretary of Defense)
1000 Defense Pentagon)
Washington, D.C. 20301,)
)
KEVIN McALEENAN, in his official capacity as)
Acting Secretary of Homeland Security)
245 Murray Lane, SW, Mail Stop 0485)
Washington, DC 20528-0485,)
)
TODD T. SEMONITE, in his official capacity as)
Commanding General)
United States Army Corps of Engineers)
441 G Street, NW)
Washington, DC 20314-1000,)
)
DAVID BERNHARDT, in his official capacity as)
Acting Secretary of the Interior)
1849 C Street, NW)
Washington, DC 20240,)
)
Defendants.)

DECLARATION OF BETSY KELLER

My name is Betsy Keller. I hereby declare:

1. I am over the age of 18. I provide this declaration based on personal knowledge. I would testify to the facts in this declaration under oath if called upon to do so.
2. I am the Chief Administrator of the El Paso County government and the principal administrative officer of the County. I have held this position for three years. I oversee 15 County departments and a staff of 800 people.
3. The Chief Administrator's Office is responsible for day-to-day government operations under the direction and authority of the Commissioners Court, and management of a broad range of services provided by El Paso County's various departments. The Chief Administrator coordinates the development and execution of strategic goals and objectives, development, implementation and evaluation of County policies, procedures, and contracts. Among many other responsibilities, the Chief Administrator works closely with the Budget and Fiscal Policy Department on the annual budget process and implementation.
4. Economic development initiatives and tourism are critically important to the health of El Paso County. Since 2016, the County has invested \$1,137,582 in tourist promotion, which includes promoting the historic Mission Trail. Most of the services the County provides to residents are funded by revenue from businesses and tourism. Overseeing initiatives in these areas are among my most important and time-consuming duties.
5. When I am engaged in economic development activities and working to generate tourism, I am competing with other communities for business. My work centers around promoting the key selling points of El Paso County and our border community. Those

are: our status as one of the safest communities in the country, and our multicultural character that is defined by our relationship with Mexico and the presence of our many immigrant residents. It is no understatement to say that our community is safe and vibrant *because of* our proximity to Mexico and *because of* our large number of immigrant residents. Many crime and economic studies have concluded that there is a correlation between large immigrant populations and low crime rates. That is certainly true in El Paso. In normal times, my job is to emphasize and celebrate the influence of Mexico and immigrants on life in El Paso and our border community; to brag about it, not be ashamed of it.

6. The President's Proclamation declaring the southern border to be the site of a national security emergency and his accompanying false statements about crime and violence associated with immigrants and our proximity to Mexico is an official government statement that damages El Paso County's ability to compete for business investment and tourism. The falsehoods associated with the Proclamation also impede me in doing my job. This is so because the President's Proclamation is a 180-degree opposite portrayal of El Paso County's image from the one that is true and the one we have been promoting. Worse, it is a message from the President that has been transmitted all over the world that tells potential investors and visitors that all of our strengths are actually weaknesses. Rather than celebrating our immigrant culture and our relationship with Mexico, the President's Proclamation tells outsiders to El Paso County that we are so endangered by immigrants and our closeness to Mexico that we need a wall to protect us. Because of the President's Proclamation, my job now involves not only promoting El Paso's positive

image, but actively defending it against a false negative portrayal by the United States government.

7. The President's Proclamation is affecting my daily activities and causing me to alter the course of my previous work in two key areas: attracting tourism and other business to El Paso and recruiting people to come to work in key County government jobs.
8. There is nothing more detrimental to a drive to bring in tourists than the perception that a community is chaotic and dangerous and that the tourist's access to historical and scenic destinations will be impeded by construction. There is no doubt in my mind that these negative images are a strike against El Paso in my various negotiations, and I often have to counteract negative misimpressions associated with the President's Proclamation when I talk to people about coming here. If I can get people here to visit, they can see that the President's Proclamation is based on falsehoods, but my efforts are thwarted if I never get to talk to people because they are put off by those falsehoods. The lost opportunities created by the false negative portrayal of El Paso County are, in this sense, impossible to quantify.
9. However, I am now devoting at least 3-5 extra hours per week to plan for counteracting the emergency declaration when I work on economic development and tourism initiatives. During this time, I am planning for conversations in which I will have to debunk myths about El Paso, doing research to assuage concerns that I hear from potential partners, coordinating with people who can advocate for El Paso County with our business partners, arranging to meet people in person to show them El Paso and the region, and communicating with County employees and constituents about strategies for defending the County's image.

10. El Paso County has entered into a three-year campaign to promote business and tourism with the City of El Paso and has dedicated significant funding to it. Managing that campaign for the County is a significant part of my job. As part of this initiative, we contracted with a private company to do an advertising campaign that would promote a positive image of El Paso and the border community. Because of the President's Proclamation, we are now in the process of strategizing how to combat a falsely negative image. I expect that this will cause a significant re-casting of our campaign and the expenditure of additional funds. I am already devoting 3-5 hours per week to analyzing the problem and devising solutions. This expenditure of time will only intensify in the coming weeks. And the President's Proclamation has already cost us the time we spent developing a strategy that now must be re-tooled.

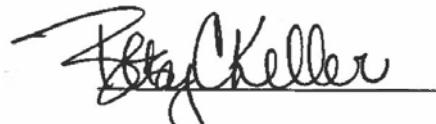
11. I am also currently in the process of recruiting for two high-level positions of crucial importance to the County – an Economic Development Director and an Infrastructure Director. Because of the false negative impression created by the President's Proclamation, I am spending 2-4 hours per week devising a strategy to find good applicants who would otherwise not apply because of the “emergency.” I am operating under the expectation that I will not get as many applicants as I have gotten in the past. For that reason, I am changing the thrust of my job announcements, finding new ways to disseminate ads, proactively defending the community's image in my ads and outreach, and proactively recruiting candidates in ways I have not done in the past. This is a time-consuming task that has been made necessary by the President's Proclamation.

12. In addition to the negative perception created by the Proclamation and its accompanying false statements, tourism and business development are impacted by the Proclamation's

threat that El Paso County and the southern border will soon be a massive construction zone. While I can sometimes counteract the negative image of El Paso created by the President's Proclamation when I talk to people or bring them here, there is nothing I can do to countermand people's fears about the construction. Those are well-founded because the government has announced the construction will happen imminently.

13. The impending wall construction in New Mexico recently announced by the administration will have a profound effect on El Paso County. The construction is slated to take place near the Santa Teresa port of entry, which is only 15 miles from downtown El Paso, and along the border highway in Dona Ana County, New Mexico, which is El Paso County's neighboring county. Ours is a regional economy. There is frequent back and forth traffic between El Paso and destinations in Dona Ana County.
14. Wait times at the El Paso ports have become a significant impediment to commerce and quality of life in recent weeks, making it increasingly difficult for goods and people to cross the border. This poses a grave danger to an economy like ours that relies on international commerce. Large-scale wall construction along the Mexico-New Mexico border creates uncertainty about the accessibility of the New Mexico ports, as well as traffic and environmental conditions along the highways. This, in turn, negatively affects business development and tourism because uncertainty about conditions on the ground is key deterrent to both.
15. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATE: April 18, 2019



Betsy Keller